

SECOND REGULAR SESSION

HOUSE BILL NO. 1844

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES ZERR (Sponsor), FUNDERBURK,
ALLEN AND MEADOWS (Co-sponsors).

3067L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 302.173, RSMo, and to enact in lieu thereof one new section relating to driver's license testing fees.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 302.173, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 302.173, to read as follows:

302.173. 1. Any applicant for a license, who does not possess a valid license issued pursuant to the laws of this state, another state, or a country which has a reciprocal agreement with the state of Missouri regarding the exchange of licenses pursuant to section 302.172 shall be examined as herein provided. Any person who has failed to renew such person's license on or before the date of its expiration or within six months thereafter must take the complete examination. Any active member of the armed forces, their adult dependents or any active member of the peace corps may apply for a renewal license without examination of any kind, unless otherwise required by sections 302.700 to 302.780, provided the renewal application shows that the previous license had not been suspended or revoked. Any person honorably discharged from the armed forces of the United States who held a valid license prior to being inducted may apply for a renewal license within sixty days after such person's honorable discharge without submitting to any examination of such person's ability to safely operate a motor vehicle over the highways of this state unless otherwise required by sections 302.700 to 302.780, other than the vision test provided in section 302.175, unless the facts set out in the renewal application or record of convictions on the expiring license, or the records of the director show that there is good cause to authorize the director to require the applicant to submit to the

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 complete examination. No applicant for a renewal license shall be required to submit to any
18 examination of his or her ability to safely operate a motor vehicle over the highways of this state
19 unless otherwise required by sections 302.700 to 302.780 or regulations promulgated thereunder,
20 other than a test of the applicant's ability to understand highway signs regulating, warning or
21 directing traffic and the vision test provided in section 302.175, unless the facts set out in the
22 renewal application or record of convictions on the expiring license, or the records of the director
23 show that there is good cause to authorize the director to require the applicant to submit to the
24 complete examination. The examination shall be made available in each county. Reasonable
25 notice of the time and place of the examination shall be given the applicant by the person or
26 officer designated to conduct it. The complete examination shall include a test of the applicant's
27 natural or corrected vision as prescribed in section 302.175, the applicant's ability to understand
28 highway signs regulating, warning or directing traffic, the applicant's practical knowledge of the
29 traffic laws of this state, and an actual demonstration of ability to exercise due care in the
30 operation of a motor vehicle of the classification for which the license is sought. When an
31 requirements for issuance of a license comparable to the Missouri requirements or a license from
32 a country which has a reciprocal agreement with the state of Missouri regarding the exchange
33 of licenses pursuant to section 302.172 and such license has not expired more than six months
34 prior to the date of application for the Missouri license, the director may waive the test of the
35 applicant's practical knowledge of the traffic laws of this state, and the requirement of actual
36 demonstration of ability to exercise due care in the operation of a motor vehicle. If the director
37 has reasonable grounds to believe that an applicant is suffering from some known physical or
38 mental ailment which ordinarily would interfere with the applicant's fitness to operate a motor
39 vehicle safely upon the highways, the director may require that the examination include a
40 physical or mental examination by a licensed physician of the applicant's choice, at the
41 applicant's expense, to determine the fact. The director shall prescribe regulations to ensure
42 uniformity in the examinations and in the grading thereof and shall prescribe and furnish all
43 forms to the members of the highway patrol and to other persons authorized to conduct
44 examinations as may be necessary to enable the officer or person to properly conduct the
45 examination. The records of the examination shall be forwarded to the director who shall not
46 issue any license hereunder if in the director's opinion the applicant is not qualified to operate
47 a motor vehicle safely upon the highways of this state.

48 2. Beginning July 1, 2005, when the examiner has reasonable grounds to believe that an
49 individual has committed fraud or deception during the examination process, the license
50 examiner shall immediately forward to the director all information relevant to any fraud or
51 deception, including, but not limited to, a statement of the examiner's grounds for belief that the

52 person committed or attempted to commit fraud or deception in the written, skills, or vision
53 examination.

54 3. The director of revenue shall delegate the power to conduct the examinations required
55 for a license or permit to any member of the highway patrol or any person employed by the
56 highway patrol. The powers delegated to any examiner may be revoked at any time by the
57 director of revenue upon notice.

58 4. Notwithstanding the requirements of subsections 1 and 3 of this section, the successful
59 completion of a motorcycle rider training course approved pursuant to sections 302.133 to
60 302.137 shall constitute an actual demonstration of the person's ability to exercise due care in
61 the operation of a motorcycle or motorobtain a motorcycle or motortricycle license or
62 endorsement.

63 **5. Any applicant required to take the written portion of the examination under**
64 **subsection 1 of this section shall be assessed a ten dollar fee to be paid to the department**
65 **of revenue. This fee, which shall be used by the department for costs associated with**
66 **administering the test, shall be in addition to any other fees required under law or under**
67 **state regulation for driver's license issuance. Notwithstanding the provisions of this**
68 **subsection, applicants receiving special education services under an individualized**
69 **education plan in accordance with the Individuals With Disabilities Education Act (IDEA)**
70 **shall not be subject to the ten dollar fee.**

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